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Introduced by Senator Morrell

February 4, 2015

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Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article IV thereof, relating to the Legislature.

LEGISLATIVE COUNSEL'S DIGEST

SCA 3, as introduced, Morrell. Legislative procedure.

The California Constitution prohibit either house of the Legislature from passing a bill until the bill with amendments has been printed and distributed to the Members.

This measure would also prohibit either house of the Legislature from passing a bill until the bill, in the form to be voted on, has been made available to the public, in print and published on the Internet, for at least 72 hours preceding the vote. This requirement would not apply to specified urgency bills upon the submission by the Governor to the Legislature of a written statement declaring that dispensing with the requirement is necessary to address a state of emergency.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

- 1     *Resolved by the Senate, the Assembly concurring,* That the
- 2     Legislature of the State of California at its 2015–16 Regular
- 3     Session commencing on the first day of December 2014, two-thirds
- 4     of the membership of each house concurring, hereby proposes to
- 5     the people of the State of California that the Constitution of the
- 6     State be amended as follows:
- 7     That Section 8 of Article IV thereof is amended to read:

1 SEC. 8. (a) At regular sessions no bill other than the budget  
2 bill may be heard or acted on by committee or either house until  
3 the 31st day after the bill is introduced unless the house dispenses  
4 with this requirement by rollcall vote entered in the journal, three  
5 fourths of the membership concurring.

6 (b) (1) The Legislature may make no law except by statute and  
7 may enact no statute except by bill. No bill may be passed unless  
8 it is read by title on ~~3~~ *three* days in each house except that ~~the a~~  
9 house may dispense with this requirement by rollcall vote entered  
10 in the journal, ~~two-thirds~~ *two-thirds* of the membership concurring.  
11 No bill may be passed until the bill with amendments has been  
12 printed and distributed to the members. No bill may be passed  
13 unless, by rollcall vote entered in the journal, a majority of the  
14 membership of each house concurs.

15 (2) (A) *No bill may be passed in either house until the bill, in*  
16 *the form to be voted on, has been made available to the public, in*  
17 *print and published on the Internet, for at least 72 hours before*  
18 *the vote.*

19 (B) *This paragraph does not apply to a bill that contains an*  
20 *urgency clause if the Governor submits to the Legislature a written*  
21 *statement declaring that, for that bill, dispensing with the*  
22 *requirement in subparagraph (A) is necessary to address a state*  
23 *of emergency declared by the Governor. "Emergency," for the*  
24 *purposes of this paragraph, has the same meaning as in paragraph*  
25 *(2) of subdivision (c) of Section 3 of Article XIII B and does not*  
26 *include a fiscal emergency declared pursuant to Section 10 of this*  
27 *article.*

28 (c) (1) Except as provided in paragraphs (2) and (3) ~~of this~~  
29 ~~subdivision~~, a statute enacted at a regular session shall go into  
30 effect on January 1 next following a 90-day period from the date  
31 of enactment of the statute and a statute enacted at a special session  
32 shall go into effect on the 91st day after adjournment of the special  
33 session at which the bill was passed.

34 (2) A statute, other than a statute establishing or changing  
35 boundaries of any legislative, congressional, or other election  
36 district, enacted by a bill passed by the Legislature on or before  
37 the date the Legislature adjourns for a joint recess to reconvene in  
38 the second calendar year of the biennium of the legislative session,  
39 and in the possession of the Governor after that date, shall go into  
40 effect on January 1 next following the enactment date of the statute

1 unless, before January 1, a copy of a referendum petition affecting  
2 the statute is submitted to the Attorney General pursuant to  
3 subdivision (d) of Section 10 of Article II, in which event the  
4 statute shall go into effect on the 91st day after the enactment date  
5 unless the petition has been presented to the Secretary of State  
6 pursuant to subdivision (b) of Section 9 of Article II.

7 (3) Statutes calling elections, statutes providing for tax levies  
8 or appropriations for the usual current expenses of the State, and  
9 urgency statutes shall go into effect immediately upon their  
10 enactment.

11 (d) Urgency statutes are those necessary for immediate  
12 preservation of the public peace, health, or safety. A statement of  
13 facts constituting the necessity shall be set forth in one section of  
14 the bill. In each house the section and the bill shall be passed  
15 separately, each by rollcall vote entered in the journal, ~~two-thirds~~  
16 *two-thirds* of the membership concurring. An urgency statute may  
17 not create or abolish any office or change the salary, term, or duties  
18 of any office, or grant any franchise or special privilege, or create  
19 any vested right or interest.

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22 CORRECTIONS:

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